

## REMARKS

### Overview of the Office Action

The title of the invention has been objected to for allegedly not being descriptive.

Figure 7 has been objected to because character 13 needs to be pointing at the nodes of the lattice.

Claims 5 and 6 have been rejected under 35 U.S.C. §112, second paragraph for various informalities.

Claims 1, 2, 5, 10, and 11 have been rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,078,274 (“Inou”).

Claim 15 has been rejected under 35 U.S.C. §102(a) as anticipated by U.S. Patent Pub. No. 2002/0000979 (“Furuhashi”).

Claims 3 and 4 have been rejected under 35 U.S.C. §103(a) as unpatentable over Inou in view of Furuhashi.

Claims 6, 8, and 9 have been rejected under 35 U.S.C. §103(a) as unpatentable over Inou in view of U.S. Patent No. 5,647,152 (“Miura”).

Claim 7 has been rejected under 35 U.S.C. §103(a) as unpatentable over Inou and Miura in view of U.S. Patent No. 6,239,778 (“Palffy-Muhoray”).

Claims 12 and 14 have been rejected under 35 U.S.C. §103(a) as unpatentable over Inou in view of Palffy-Muhoray.

Claim 13 has been rejected under 35 U.S.C. §103(a) as unpatentable over Inou in view of U.S. Patent Pub. No. 2002/0075557 (“Zhang”).

Claim 17 has been rejected under 35 U.S.C. §103(a) as unpatentable over Furuhashi in view of U.S. Patent No. 5,790,107 (“Kasser”).

Claim 16 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including the base claim and any intervening claims.

#### Status of the claims

Claims 1-9, 11-15, and 17 have been amended.

Claims 10 and 16 have been canceled.

Claims 18-19 have been newly added.

Claims 1-9, 11-15, and 17-19 are now pending.

#### Objection to the title of the invention

The title of the invention has been objected to as being not descriptive. The title of the invention has been amended to be descriptive. Applicant submits that this objection has now been overcome.

#### Objections to the drawings

Figure 7 has been objected to because character 13 needs to be pointing at the nodes of the lattice. Figure 7 has been amended such that numeral 13 points to the nodes of the lattice. Applicant submits that this objection has been overcome.

#### Allowable subject matter

The Office Action states that claim 16 contains allowable subject matter, and would be allowable if suitably rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 16 has been canceled and the subject matter has been incorporated into independent claim 15, which is, therefore, now allowable. Claim 17 depends directly from independent claim 15 and is, therefore, also now allowable.

#### Rejection of claims 5 and 6 under 35 U.S.C. §112, second paragraph

With respect to claim 5, the Office Action states that the limitation “the pixel spacing” lacks sufficient antecedent basis. Claim 5 has been amended to provide sufficient antecedent basis.

With respect to claim 6, the Office Action states that the limitation “the angle” lacks sufficient antecedent basis. Claim 6 has been amended to provide sufficient antecedent basis.

Applicants submit that these rejections have now been overcome.

#### Summary of subject matter disclosed in the specification

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed.

Applicant's specification discloses a display apparatus. The display apparatus includes a display layer (2), and a touch-sensitive layer (3) running parallel to the display layer (2). A side of the touch-sensitive layer (3) which is remote from the display layer (2) has an antireflection

lattice (4) that includes lattice elements (5), which can move toward one another. The lattice elements form microscopic channels (10) and absorb incident light from the side. (see Figs. 1 and 2, and paragraphs [0026] and [0027]).

#### Descriptive summary of Inou

Inou discloses a touch panel is made up of an insulating substrate (1) with a transparent conductive film (2a), and a flexible insulating substrate (3) with a transparent conductive film (2b). A double-sided adhesive tape (5) combines the insulating substrate (1) and flexible insulating substrate (3), which are held apart by a spacer (4). Since the insulating substrate (1) and the flexible insulating substrate (3) are held apart by the spacer (4), there is a layer of air between the insulating substrate (1) and the flexible insulating substrate (3). On the two transparent conductive layers anti-reflective films (8) are provided in the form of square islets 100 nm thick and with sides of 80  $\mu\text{m}$ , with a pitch Pd of 100  $\mu\text{m}$  and an interval Dw of 20  $\mu\text{m}$ .

#### Rejection of claims 1, 2, 5, 10, and 11 under 35 U.S.C. §102(b)

The Office Action states that Inou discloses all of Applicant's recited elements.

Independent claim 1 has been amended to recite a display apparatus that includes a display layer, and a touch-sensitive layer running parallel to the display layer. A side of the touch-sensitive layer which is remote from the display layer includes an antireflection lattice that includes lattice elements which can move toward one another. The lattice elements form microscopic channels and absorb incident light from the side. Support for the claim amendment can be found, at least, in paragraph [0027] of Applicant's published specification.

Inou fails to teach or suggest "the lattice elements forming microscopic channels and absorbing incident light from the side", as recited in Applicant's amended independent 1.

Inou discloses a touch-sensitive layer having an integrated anti reflective film (8). The anti reflective film (8) of Inou is used to reduce the difference in refractive index between an outer medium and an inner medium of a touch-sensitive layer (see col. 1, line 57 to col. 2, line 9 of Inou). In order to overcome the disadvantages of reduced input sensitivity, only parts of a touch-sensitive layer of Inou are equipped with the antireflective film (8), whereas the parts of the touch-sensitive layer that are used for sensing are not covered with the antireflective film (see col. 2, lines 29-51 of Inou). Nowhere does Inou teach or suggest that the antireflective film (8) forms microscopic channels and absorb incident light from the side of the touch-sensitive layer which is remote from the display layer, as recited in Applicant's amended independent claim 1.

In view of the foregoing, it is respectfully submitted that Inou does not teach or suggest the subject matter recited in Applicant's independent claim 1. Accordingly, claim 1 is patentable over Inou under 35 U.S.C. §102(b).

Independent claim 11 has been amended to recite limitations similar to amended independent claim 1 and is, therefore, patentable over Inou for reasons discussed above with respect to independent claim 1.

#### Dependent claims

With respect to claim 2, the Examiner cites Fig. 2 of Inou as teaching an antireflection lattice comprising lattice elements having a strip-like design. Applicant submits that Inou has been misinterpreted.

The individual antireflective film element (8) is arranged in a regular array structure.

However, each individual element is flat and square in shape and not strip-like, as recited in Applicant's claim 2 (see Fig. 2, element (8) of Inou). Inou specifically teaches that the anti-reflective films (8) are provided in the form of square islets (see the abstract of Inou). As shown in Applicant's Fig. 5, the lattice element (5) is clearly "strip-like" and not square, as is element (8) of Inou. Further, Inou fails to teach or suggest that the lattice elements are of strip-like design having slots at nodes of the lattice such that the lattice elements are able to move towards one another at the nodes of the lattice, as now recited in Applicant's amended claim 2, and as disclosed in paragraph [0031] of Applicant's published specification.

Claim 10 has been canceled. Claim 5, which depends directly from amended independent claim 1, incorporates all of the limitations of independent claim 1 and is, therefore, deemed to be patentably distinct over Inou for at least those reasons discussed above with respect to independent claim 1.

#### Rejection of claim 15 under 35 U.S.C. §102(a)

The Office Action states that Furuhashi discloses all of Applicant's recited elements.

Independent claim 15 has been amended to incorporate the subject matter of allowable claim 16. Amended independent claim 15 is therefore allowable over Furuhashi.

#### Rejection of claims 3 and 4 under 35 U.S.C. §103(a)

The Office Action states that the combination of Inou and Furuhashi teaches all of the elements recited in Applicant's claim.

Inou has been previously discussed and does not teach or suggest the invention recited in Applicant's independent claim 1.

Because Inou does not teach or suggest the subject matter recited in Applicant's independent claim 1, and because Furuhashi does not teach or suggest any elements of the independent claims that Inou is missing, the addition of Furuhashi to the reference combination fails to remedy the non-obviousness of the claims.

Claims 3 and 4, which depend directly from independent claim 1, incorporates all of the limitations of independent claim 1 and are therefore deemed to be patentably distinct over the combination of Inou and Furuhashi for at least those reasons discussed above for independent claim 1.

Rejection of claims 6, 8, and 9 under 35 U.S.C. §103(a)

The Office Action states that the combination of Inou and Miura teaches all of the elements recited in Applicant's claim.

Inou has been previously discussed and does not teach or suggest the invention recited in Applicant's independent claim 1.

Because Inou does not teach or suggest the subject matter recited in Applicant's independent claim 1, and because Miura does not teach or suggest any elements of the independent claims that Inou is missing, the addition of Miura to the reference combination fails to remedy the non-obviousness of the claims.

Claims 6, 8, and 9, which depend directly from independent claim 1, incorporates all of the limitations of independent claim 1 and are therefore deemed to be patentably distinct over the combination of Inou and Miura for at least those reasons discussed above for independent claim 1.

Rejection of claim 7 under 35 U.S.C. §103(a)

The Office Action states that the combination of Inou, Miura, and Palffy-Muhoray teaches all of the elements recited in Applicant's claim.

Inou has been previously discussed and does not teach or suggest the invention recited in Applicant's independent claim 1.

Because Inou does not teach or suggest the subject matter recited in Applicant's independent claim 1, and because Miura and Palffy-Muhoray do not teach or suggest any elements of the independent claims that Inou is missing, the addition of Miura and Palffy-Muhoray to the reference combination fails to remedy the non-obviousness of the claims.

Claim 7, which depends indirectly from independent claim 1, incorporates all of the limitations of independent claim 1 and is therefore deemed to be patentably distinct over the combination of Inou, Miura, and Palffy-Muhoray for at least those reasons discussed above for independent claim 1.

Rejection of claims 12 and 14 under 35 U.S.C. §103(a)

The Office Action states that the combination of Inou and Palffy-Muhoray teaches all of the elements recited in Applicant's claim.

Inou has been previously discussed and does not teach or suggest the invention recited in Applicant's independent claim 1.

Because Inou does not teach or suggest the subject matter recited in Applicant's independent claim 1, and because Palffy-Muhoray does not teach or suggest any elements of the independent claims that Inou is missing, the addition of Palffy-Muhoray to the reference combination fails to remedy the non-obviousness of the claims.



Claims 12 and 14, which depend indirectly from independent claim 1, incorporates all of the limitations of independent claim 1 and are therefore deemed to be patentably distinct over the combination of Inou and Palffy-Muhoray for at least those reasons discussed above for independent claim 1.

Rejection of claim 13 under 35 U.S.C. §103(a)

The Office Action states that the combination of Inou and Zhang teaches all of the elements recited in Applicant's claim.

Inou has been previously discussed and does not teach or suggest the invention recited in Applicant's independent claim 1.

Because Inou does not teach or suggest the subject matter recited in Applicant's independent claim 1, and because Zhang do not teach or suggest any elements of the independent claims that Inou is missing, the addition of Zhang to the reference combination fails to remedy the non-obviousness of the claims.

Claim 13, which depends indirectly from independent claim 1, incorporates all of the limitations of independent claim 1 and is therefore deemed to be patentably distinct over the combination of Inou and Zhang for at least those reasons discussed above for independent claim 1.

Rejection of claim 17 under 35 U.S.C. §103(a)

The Office Action states that the combination of Furuhashi and Kasser teaches all of the elements recited in Applicant's claim.

Independent claim 15 has been amended to incorporate the subject matter of allowable claim 16. Therefore, independent claim 15 is allowable over Furuhashi and Kasser.

Claim 17, which depends directly from independent claim 15, incorporates all of the limitations of independent claim 15 and is therefore also allowable over Furuhashi and Kasser for the reasons discussed above for independent claim 15.

Newly added claims 18 and 19

Claims 18-19 have been newly added. Support for claim 18 can be found in paragraph [0033] and support for claim 19 can be found in claim 1 and paragraph [0032] of Applicant's published specification

Inou has been previously discussed and does not teach or suggest the invention recited in Applicant's independent claim 1.

Newly added claim 18, which depends directly from independent claim 1, incorporates all of the limitations of independent claim 1 and is therefore deemed to be patentably distinct over Inou for at least those reasons discussed above for independent claim 1.

Newly added claim 19 is directed to a display apparatus that includes a display layer, a touch-sensitive layer running parallel to the display layer, and a further layer that includes an antireflection lattice that includes lattice elements which can move toward one another, where the further layer is mounted on top of the touch-sensitive layer on the side which is remote from the display layer and is separate from the touch-sensitive layer.

Both the Inou and the Furuhashi relate to display apparatus having a touch-sensitive layer with lattice elements within the touch sensitive layer. However, neither Inou nor Furuhashi teach or suggest a display apparatus comprising a display layer, a touch sensitive layer running parallel

to the display layer and a further layer comprising an antireflection lattice comprising lattice elements which can move towards one another, the further layer being mounted on top of the touch-sensitive layer on a side which is remote from the display layer and is separate from the touch-sensitive layer, as recited in Applicant's independent claim 19.

Applicant notes that the Examiner asserts that when a user touches the flexible substrate (3) of Inou, the top lattice (8) moves closer to the bottom lattice (8). This clearly means that Inou teaches two antireflective layers (8), which are held proximate to one another by adhesive tape (5).

In contrast, Applicant's new claim 19 recites that "a touch sensitive layer running parallel to the display layer and a further layer comprising an antireflection lattice comprising lattice elements which can move towards one another, the further layer being mounted on top of the touch-sensitive layer on a side which is remote from the display layer and is separate from the touch-sensitive layer". In other words, Innu does not teach or suggest lattice elements in the same single layer moving towards one another.

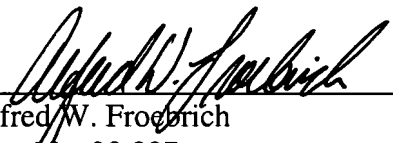
Conclusion

In view of the foregoing, reconsideration and withdrawal of all rejections, and allowance of all pending claims, are respectfully solicited.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned

Respectfully submitted,

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**Amendments to the Drawings:**

Please amend Fig. 7 as shown on the attached replacement sheet.

Replacement sheet 1 includes amended Fig. 7, and Figs. 8-9.

Attachments: Replacement Sheets 1